



GOVERNOR'S OFFICE OF
BUDGET AND PROGRAM PLANNING

Fiscal Note 2011 Biennium

Bill #	HB0554	Title:	Verify alien status of prisoners
Primary Sponsor:	Howard, David	Status:	As Introduced

- | | | |
|---|--|--|
| <input type="checkbox"/> Significant Local Gov Impact | <input checked="" type="checkbox"/> Needs to be included in HB 2 | <input checked="" type="checkbox"/> Technical Concerns |
| <input type="checkbox"/> Included in the Executive Budget | <input type="checkbox"/> Significant Long-Term Impacts | <input type="checkbox"/> Dedicated Revenue Form Attached |

FISCAL SUMMARY

	<u>FY 2010 Difference</u>	<u>FY 2011 Difference</u>	<u>FY 2012 Difference</u>	<u>FY 2013 Difference</u>
Expenditures:				
General Fund	\$20,700	\$20,700	\$20,700	\$20,700
Revenue:				
General Fund	\$0	\$0	\$0	\$0
Net Impact-General Fund Balance:	<u>(\$20,700)</u>	<u>(\$20,700)</u>	<u>(\$20,700)</u>	<u>(\$20,700)</u>

Description of fiscal impact:

This bill requires a juvenile probation officer to contact the U.S. Department of Homeland Security or its successor agency within 48 hours of a youth being detained in a youth detention center, youth assessment center, or shelter care facility to determine the immigration status of that youth. If the youth is detained during the workweek, a juvenile probation officer would contact the Department during the officer's regular working hours. However, a juvenile probation officer would be in an over-time status if called out on a weekend to comply with this legislation. This bill would have negative impact on general fund.

FISCAL ANALYSIS

Assumptions:

Judicial Branch

1. This bill requires a juvenile probation officer to contact the U.S. Department of Homeland Security or its successor agency within 48 hours of a youth being detained in a youth detention center, youth assessment center or shelter care facility to determine the immigration status of that youth. If the youth has been determined to be an illegal alien, it must be confirmed whether a federal immigration detainer has been requested for the alien.

2. For purposes of granting bail, a youth who has been declared to be an illegal alien is determined to be a flight risk.
3. In order to comply with the 48-hour requirement, a juvenile probation officer would need to respond on a weekend for any juvenile detained on Friday after regular business hours. This would result in “calling out” probation officers to make the phone call resulting in call-out/overtime pay.
4. It is estimated that 400 youth a year would be detained on a Friday after regular business hours.
5. The minimum call-out time on a weekend per Judicial Branch policy for a juvenile probation officer is two hours.
6. An entry-level juvenile probation officer is paid \$15.00/hour with an over-time rate of \$22.50/hour plus approximately 15% benefits.
7. The estimated cost of overtime in one fiscal year would be \$20,700 (400 youth X 2 hours X \$22.50/hour X 15% benefits).

	<u>FY 2010 Difference</u>	<u>FY 2011 Difference</u>	<u>FY 2012 Difference</u>	<u>FY 2013 Difference</u>
<u>Fiscal Impact:</u>				
Judicial Branch				
<u>Expenditures:</u>				
Personal Services	\$20,700	\$20,700	\$20,700	\$20,700
<u>Funding of Expenditures:</u>				
General Fund (01)	\$20,700	\$20,700	\$20,700	\$20,700
<u>Revenues:</u>				
General Fund (01)	\$0	\$0	\$0	\$0
<u>Net Impact to Fund Balance (Revenue minus Funding of Expenditures):</u>				
General Fund (01)	(\$20,700)	(\$20,700)	(\$20,700)	(\$20,700)

Technical Notes:

1. Some youth who are detained or taken into custody would not fall under the jurisdiction of the Youth Court and the probation officer. These types of situations include a youth detained and released to parents for a DUI or traffic charge, which is heard by Justice Court, or a youth detained on federal charges.

*Sponsor's Initials*_____
*Date*_____
*Budget Director's Initials*_____
Date